

REMARKS

Applicants appreciate the thorough examination of the present application as evidenced by the Office Action mailed March 11, 2010 (hereinafter "Office Action"). Applicants respectfully submit that currently pending Claims 46-51 and 53-57 are allowable over the cited references for at least the reasons provided below. Applicants respectfully note that the only amendment to the claims corresponds to the typographical error in Claim 51. In this regard, Applicants respectfully request that any rejections including new references be made non-final. Accordingly, Applicants respectfully request a Notice of Allowance in due course.

Claim Objections Are Overcome

The Office Action objects to Claim 51 because there is a typographical error therein. (Office Action, page 2.) Applicants respectfully submit that Claim 51 is amended accordingly and request that the objection thereto be withdrawn.

Claim 46 is Patentable Over Borella and Matyas

The Office Action rejects Claims 46-49 and 54-56 under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 6,353,891 to Borella et al. ("Borella") in view of U.S. Patent No. 7,010,689 to Matyas, Jr. et al. ("Matyas"). (Office Action, page 3.) Applicants respectfully submit that independent Claim 46 is patentable for at least the reasons that Borella and Matyas, alone or in combination, do not disclose or suggest several of the recitations therein. For example, independent Claim 46 recites:

A method for providing **authentication when messages are sent between an electronic communication apparatus and a server according to a synchronization protocol in which a plurality of different authentication methods are available**, comprising:

providing an authentication method indicator that specifies an authentication method of the plurality of different authentication methods according to which the authentication is to be executed;
incorporating into a message the authentication method indicator

comprising a plurality of authentication capabilities of the communication apparatus among the plurality of different authentication methods;

transmitting said message to said server according to an authentication protocol of the synchronization protocol;

generating, at the server, an integrity key that is encrypted with the public key of the electronic communication apparatus, and an authentication data value comprising an equivalent of an AKA FRESH parameter;

sending the integrity key and the authentication data value to the electronic communication apparatus;

using the integrity key at the electronic communication apparatus to generate MAC values; and

using a hashing function at the electronic communication apparatus to compute a Hashed Method Authentication Code (HMAC) on the message, wherein the specified authentication method is any of a group comprising Wireless Public Key Identity (WPKI), Wireless Identity Module (WIM) authentication. (*Emphasis added.*)

As an initial matter, in contrast with the Office Action allegation, Borella does not disclose or suggest authentication when messages are sent between an electronic communication apparatus and a server according to a synchronization protocol, much less in which a plurality of different authentication methods are available, as recited in Claim 46. Instead, Borella appears to describe control channel security for realm specific internet protocol (RSIP). In that regard, the communications described in Borella appear to be limited to those between host devices and a gateway and not between an electronic communication apparatus and a server.

Additionally, neither the RSIP protocol nor any other of the teachings described in Borella appear to be a synchronization protocol, as recited in Claim 46.

Further, in contrast with the Office Action allegation, Borella does not disclose or suggest "transmitting said message to said server according to an authentication protocol of the synchronization protocol," as recited in Claim 46. Regarding this recitation, the Office Action cites Borella at column 8, lines 56-67 to column 9, lines 1-9 as disclosing "host device sends message 1a to RSIP gateway." (Office Action, page 4.) In contrast with the Office Action allegation, the REGISTRATION_REQUEST message 1a that is sent from the RSIP

host device to the RSIP gateway is not "according to an authentication protocol," of the synchronization protocol or otherwise. Instead, not only is Borella silent as to these claim recitations, Borella actually teaches away from such recitations in that the REGISTRATION_REQUEST message "is preferably not protected by any mechanism." (Borella, column 8, lines 58-60.) Thus, Borella does not disclose or suggest "transmitting said message to said server according to an authentication protocol of the synchronization protocol," as recited in Claim 46.

In further contrast with the Office Action allegation, Borella does not disclose or suggest "generating, at the server, an integrity key...and an authentication data value," as recited in Claim 46. Regarding this recitation, the Office Action cites Borella at column 9, lines 6-23 as disclosing "RSIP gateway generates response message 1b...includes negotiated parameters: userID 31, gateway cookie 38, security method parameter 36 indicating that the session will use the session key method (i.e., PSK), replay counter 33, HMAC 34)." (Office Action, page 4.) In contrast with the Office Action allegation, none of the cited portions of the REGISTRATION_RESPONSE message 1b that is sent from the RSIP gateway to the RSIP host device disclose or suggest generating "an integrity...and an authentication data value," as recited in Claim 46. For example, the security method parameter 36 appears to merely indicate that the session key method is supported. (Borella, column 9, lines 2-4.) Additionally, the integrity key recited in Claim 46 is "encrypted with the public key." In this regard, the "randomly generated gateway cookie 38" of Borella teaches away from the claimed integrity key that is encrypted with the public key as well as a combination with any reference that teaches using a public key for such encryption. Thus, Borella does not disclose or suggest "generating, at the server, an integrity key...and an authentication data value," as recited in Claim 46.

In yet further contrast with the Office Action allegation, Borella does not disclose or suggest "sending the integrity key and the authentication data value to the electronic communication apparatus," as recited in Claim 46. As Borella does not disclose or suggest generating the integrity key and the authentication data value, as discussed above, then

Borella necessarily does not disclose or suggest "sending the integrity key and the authentication data value to the electronic communication apparatus," as recited in Claim 46.

The Office Action does not allege and Matyas does not provide the above discussed teachings that are missing from Borella. Accordingly, Claim 46 is patentable over Borella and Matyas, alone or in combination, the allowance of which is respectfully requested.

Additionally, other ones of the claims are rejected under 35 U.S.C. §103 as unpatentable in view of various combinations of Borella and Matyas, Patent Application Publication No. 2002/0091933 to Quick, Jr. et al. ("Quick"), U.S. Patent Application Publication No. 2003/0028805 to Lahteenmaki ("Lahteenmaki"), and/or U.S. Patent Application Publication No. 2003/0033524 to Tran et al. ("Tran"). Applicants respectfully submit that the references cited in support of the Section 103 rejections do not disclose or suggest the missing teachings discussed above. For at least these reasons, Applicants respectfully submit that Claim 46 is patentable over the art of record, the allowance of which is respectfully requested.

Dependent claims are patentable

Applicants respectfully submit that dependent Claims 47-51 and 53-57 are patentable at least per the patentability of independent Claim 46 from which they depend.

In re: Gustavsson et al.
Application No.: 10/506,943
Filed: March 7, 2005
Page 10

CONCLUSION

In light of the above amendments and remarks, Applicants respectfully submit that the above-entitled application is now in condition for allowance. Favorable reconsideration of this application, as amended, is respectfully requested. If, in the opinion of the Examiner, a telephonic conference would expedite the examination of this matter, the Examiner is invited to call the undersigned attorney at (919) 854-1400.

Respectfully submitted,



Timothy J. Wall
Registration No.: 50,743

USPTO Customer No. 54414
Myers Bigel Sibley & Sajovec
Post Office Box 37428
Raleigh, North Carolina 27627
Telephone: 919/854-1400
Facsimile: 919/854-1401

CERTIFICATION OF TRANSMISSION

I hereby certify that this correspondence is being transmitted via the Office electronic filing system in accordance with § 1.6(a)(4) to the U.S. Patent and Trademark Office on July 12, 2010.



Audra Wooten